

Action Agenda

Monday, March 23, 2015

Worksession

Committee of the Whole

Regular Meeting

WORKSESSION AGENDA

1. CALL TO ORDER, 4:00 P.M.

Mayor Pro Tem Roberts called the meeting to order at 4:03 p.m.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

3. HOMER NATURAL GAS SPECIAL ASSESSMENT DISTRICT

1. Assessing Subdivided Lots
2. Sinking Fund/Reserves/Free Main Allowance Funds/Additional Hook-ups/Administrative Fees
3. Deferred Assessments

4. COMMENTS OF THE AUDIENCE

There was one who commented.

5. ADJOURNMENT NO LATER THAN 4:50 P.M.

Mayor Pro Tem Roberts adjourned the meeting at 4:47 p.m.

COMMITTEE OF THE WHOLE AGENDA

1. CALL TO ORDER, 5:00 P.M.

Mayor Wythe called the meeting to order at 5:03 p.m.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

3. **MARIJUANA ISSUES** – Attorney Wells participating via Skype
4. **Memorandum 15-042**, from Community & Economic Development Coordinator, Re: Strategic Doing – List of City of Homer Plans
5. **Resolution 15-015**, A Resolution of the City Council of Homer, Alaska, Approving an Amendment to Bob’s Trophy Charter Lease on Tract 1-B Fishing Hole Subdivision No. 2, to Permit Transfer of the Lease to Wilson Stick, Inc., Extend the Lease for a Period of 20 Years, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Postponed from March 9, 2015 for Attorney review.

Memorandum 15-030 from Port and Harbor Advisory Commission as backup.

Memorandum 15-040 from Port and Harbor Director as backup.

6. **CONSENT AGENDA**
7. **REGULAR MEETING AGENDA**
8. **COMMENTS OF THE AUDIENCE**

There were three who commented.

9. **ADJOURNMENT NO LATER THAN 5:50 P.M.**

Mayor Wythe adjourned the meeting at 5:45 p.m.

REGULAR MEETING AGENDA

Session 15-13 a Regular Meeting of the Homer City Council was called to order on March 23, 2015 at 6:00 p.m. by Mayor Mary E. Wythe at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

Department Heads may be called upon from time to time to participate via teleconference.

PRESENT:	COUNCILMEMBERS:	BURGESS, LEWIS, REYNOLDS, ROBERTS, VAN DYKE, ZAK
	STAFF:	CITY MANAGER YODER DEPUTY CITY CLERK JACOBSEN

COMMUNITY AND ECONOMIC
DEVELOPMENT COORDINATOR KOESTER
FINANCE DIRECTOR LI
PORT DIRECTOR/HARBORMASTER HAWKINS
LIBRARY DIRECTOR DIXON
POLICE CHIEF ROBL
IT MANAGER POOLOS

2. AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 1.24.040.)

The agenda was approved by consensus of the Council

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were seven who commented.

4. RECONSIDERATION

5. CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Special Meeting minutes of March 3 and March 9, 2015 and Regular Meeting minutes of March 9, 2015. City Clerk. Recommend adoption.
- B. **Memorandum 15-038**, from Mayor, Re: Appointment of Patrick Brown to the Library Advisory Board, Reappointment of Therese Smith to the Library Advisory Board, and Appointment of Councilmember Reynolds to the All Hazard Mitigation Plan Group.
- C. **Ordinance 15-07**, An Ordinance of the Homer City Council Adopting Chapter 2.78 Entitled “Marijuana Advisory Commission,” Establishing a Marijuana Advisory Commission to Advise the City Council on the Governance of Marijuana Use Within the City of Homer, Alaska, and Serve as the City of Homer’s Local Regulatory Authority on Marijuana. Burgess. Recommended dates: Introduction March 23, 2015, Public Hearing and Second Reading April 13, 2015.

Memorandum 15-043 from City Attorney Wells as backup.

- D. **Resolution 15-018**, A Resolution of the City Council of Homer, Alaska, Requesting the Kenai Peninsula Borough Transfer Their Portion of the Fisheries Business Tax Allocated by the State of Alaska to the Port and Harbor Enterprise Fund for the Purpose of Increasing and Maintaining the Port and Harbor Depreciation Reserves. Port and Harbor Advisory Commission. Recommend adoption.
- E. **Resolution 15-019**, A Resolution of the Homer City Council Disbanding the City Manager Selection Committee. City Council. Recommend adoption.
- F. **Resolution 15-020**, A Resolution of the Homer City Council Revising the Homer Public Library Policy Manual to Include a Collection Development Policy. City Manager/Library Director. Recommend adoption.

Memorandum 15-039 from Library Advisory Board as backup.

- G. **Resolution 15-021**, A Resolution of the Homer City Council Approving the Purchase of Safety Equipment for the Homer Police Department Officers From ADS, Inc. of Virginia Beach, Virginia, in the Amount of \$27,782.28 and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Police Chief. Recommend adoption.

Memorandum 15-041 from Police Chief as backup.

Item C, Ordinance 15-07 was moved to Ordinances, Item A. Burgess

The consent agenda as amended was approved by consensus of the Council.

6. VISITORS

- A. Representative Paul Seaton, Alaska LNG, 10 minutes.

Representative Seaton gave the Council a brief status update on the Alaska LNG.

- B. April is National Safe Digging Month, Enstar, 10 minutes.

Kevin Campbell, Key Accounts & Public Affairs representative with Enstar, commented that April is National Safe Digging Month and addressed hazards of digging without having locates done on utility lines, damage statistics, ways to mitigate, and the ease and importance of using the 811 services to call for locates.

- C. “Climate Change In Our Backyard” - Stacey Buckelew, Coastal Training Program Coordinator, 5 minutes.

Stacey Buckelew, staff at Kachemak Bay Research Reserve, commented about the Climate Change in Our Backyard workshop being held in Soldotna on Saturday, March 28th from 9am to 4 pm at the Kenai Peninsula College Commons in Soldotna. There will be themes focused on flooding, salmon stressors, coastal erosion, and wildlife. It is free and open to the public.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

- A. **Mayor’s Proclamation** – Recognizing April as Safe Digging Month

Mayor Wythe read the proclamation.

- B. Borough Report

- C. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
 - a. Minutes of February 18, 2015
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission
5. Port and Harbor Advisory Commission

- D. Memorandum 15-042 from Community & Economic Development Coordinator, Re: Strategic Doing – List of City of Homer Plans

8. PUBLIC HEARING(S)

- A. Homer Natural Gas Special Assessment District

There was no public testimony.

- B. **Ordinance 15-06**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2015 Operating Budget by Appropriating \$179,892.97 From the Harbor Reserve Fund to Satisfy the City's Matching Grant Requirement Associated With the Completion of the Deep Water Dock Expansion Feasibility Study. City Manager/Port and Harbor Director. Introduction March 9, 2015, Public Hearing and Second Reading March 23, 2015.

There was no public testimony.

ADOPTED without discussion.

9. **ORDINANCE(S)**

- A. **Ordinance 15-07**, An Ordinance of the Homer City Council Adopting Chapter 2.78 Entitled "Marijuana Advisory Commission," Establishing a Marijuana Advisory Commission to Advise the City Council on the Governance of Marijuana Use Within the City of Homer, Alaska, and Serve as the City of Homer's Local Regulatory Authority on Marijuana. Burgess. Recommended dates: Introduction March 23, 2015, Public Hearing and Second Reading April 13, 2015.

Memorandum 15-043 from City Attorney Wells as backup. 15-07

INTRODUCED as amended with discussion.

AMENDED:

- Line 63 to read the Commission members shall include two City Councilmembers, the Police Chief and a member of the Planning Commission. The remaining four members will have at least three city residents.
- Line 57 change the number seven to nine and line 70 and 71 change the number two to three.
- Line 63 to of the remaining five at least four will be City of Homer residents.
- Line 67 add after terms shall be staggered, with the initial commission to be appointed for the following terms;
- Line 76 after The Commission shall meet regularly once a month for no more than two hours.
- Replace the word marijuana with the word cannabis throughout the ordinance.

10. **CITY MANAGER'S REPORT**

- A. City Manager's Report

B. Bid Report

C. Inactive Records Report

There was discussion regarding the Special Assessment District for natural gas in the Diamond Ridge area related to a lot the city owns for the purpose of expanding the Hickerson Memorial Cemetery. Councilmember Burgess suggested supporting the Borough's process and not oppose the district, but apply to be exempted because we don't derive any benefit from the improvement.

There was also discussion regarding St. Augustine Street. The City has suggested the State realign the culvert on the inside corner of St. Augustine because the City has ditched along the street. Councilmember Zak commented about issues in the area since Enstar did work on installing the gas line. Councilmember Burgess commented about contacts to him as a contractor from property owners needing some sort of solution. He noted from a legal stand point there is no culpable party. He thinks if the city could contribute a little bit even just for matting, erosion mitigation, hydro-seeding, or something of minimal expense; it would show property owners the city is being proactive.

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

- A. Public Arts Committee
- B. Permanent Fund Committee
- C. Employee Committee Report
- D. Port and Harbor Building Task Force
- E. Public Safety Building Review Committee
- F. Vessel Haul-Out Task Force
- G. ~~City Manager Selection Committee~~ (if disbanded)

13. PENDING BUSINESS

- A. **Memorandum 15-022(A)**, from Parks and Recreation Advisory Commission, Re: Recommendation to Donate Fitness Course Equipment to West Homer Elementary. (From February 9, 2015.)

APPROVED with discussion.

- B. **Resolution 15-015**, A Resolution of the City Council of Homer, Alaska, Approving an Amendment to Bob's Trophy Charter Lease on Tract 1-B Fishing Hole Subdivision No. 2, to Permit Transfer of the Lease to Wilson Stick, Inc., Extend the Lease for a Period of 20 Years, and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Postponed from March 9, 2015 for Attorney review.

Memorandum 15-030 from Port and Harbor Advisory Commission as backup.

Memorandum 15-040 from Port and Harbor Director as backup.

ADOPTED as amended.

AMENDED:

- Line 66 add The building will be removed at the lessee's sole expense.
- Line 65 after comma strike offer comparable parcel and insert will require the vacation of the property and provide an alternative parcel.

14. NEW BUSINESS

- A. **Memorandum 15-044**, from City Manager, Re: Fireweed Avenue Road Condition.

APPROVED as amended with discussion.

AMENDED:

Include Cottonwood in the memorandum with similar measures to be taken to correct any issues on Cottonwood; the City of Homer will pay \$15,000 per road and add a 50/50 per dollar match for any amount beyond that, and any funds contributed by the City would be from the HART fund account.

15. RESOLUTIONS

- A. **Resolution 15-017**, A Resolution of the Homer City Council Confirming the Assessment Roll, Establishing Dates for Payment of Special Assessments and

Establishing Delinquency, Penalty, and Interest Provisions for the Homer Natural Gas Special Assessment District. City Clerk.

ADOPTED with discussion.

16. COMMENTS OF THE AUDIENCE

There were two who commented.

17. COMMENTS OF THE CITY ATTORNEY

City Attorney Klinkner was not present.

18. COMMENTS OF THE CITY CLERK

Deputy City Clerk Jacobsen had no comment.

19. COMMENTS OF THE CITY MANAGER

City Manager Yoder had no comment.

20. COMMENTS OF THE MAYOR

Mayor Wythe shared information provided by the Chamber Director regarding the Winter King Salmon Tournament the winning king was 30.4 pounds and the winner received \$27,762.00. It was the 22nd tournament in Homer, bringing in 386 boats and 590 fish were landed. She congratulated the Council for completing the assessment roll, we will see where it goes from there.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Burgess appreciated the Council voting to create the Cannabis Advisory Commission, he thinks it will serve the Council and general public well in moving forward. There was public comment about why create another committee when trying to cut them back, and Mr. Burgess's rationale is that it is an opportunity for the city to receive a revenue stream. He noted a conflict that what they heard from the public is they want to receive more input from younger people on Commissions, but to appoint staff members is basically appointing someone over 50. He is pleased they got the assessment roll done this evening and looks forward to more public comment on it to make sure no one slips through the cracks in that process.

Councilmember Reynolds apologized for her coughing tonight, she's done a lot of biking and there is a lot of road dust. She congratulated Mikayla Pitta and Alli and Brenna McCarron and wished them a successful trip to the hockey nationals in Lansing, Michigan.

Councilmember VanDyke said he is glad the assessment roll is done even though it means he is going to spend a whole lot of money. He appreciates the actions to fix the roads that are in dire need of it. He has always thought road maintenance, construction, and infrastructure like that is one of the biggest responsibilities besides police and fire. We need to step up to the plate and get some of this stuff done so we can have a wonderful city.

Councilmember Lewis had no comment

Councilmember Zak thanked the Chamber, the volunteers, and Harbor staff for their work on the Winter King Tournament. To pull off an event like that takes entire community. He also noted seeing the black hawk helicopters flying over for the hospitals exercise and acknowledged all the people in town eating out and supporting our local businesses. He referenced the tournament information provided that 30% of the anglers were from Anchorage, 40% from Homer, and 22% from outside and how it brings outside dollars into our economy.

Councilmember Roberts had no comment.

22. ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 8:29 p.m. The next Regular Meeting is Monday, April 13, 2015 at 6:00 p.m. and Committee of the Whole 5:00 p.m. A Special Meeting is scheduled for Tuesday, March 24, 2015 at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.